

TTAB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Baxter International Inc.,

)

)

Opposer,

)

)

v.

) Opposition No.: 91150298

) Application No. 76/151,380

Inviro Medical Devices, Ltd.

)

)

Applicant.

)

01-12-2004

U.S. Patent & TMO/TM Mail Rcpt Dt. #78

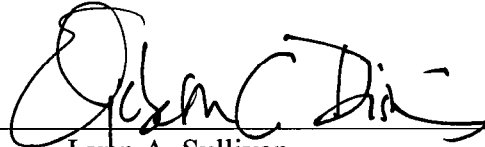
**CONSENTED TO MOTION FOR ONE WEEK EXTENSION TO RESPOND TO  
APPLICANT'S MOTION FOR LEAVE TO AMEND ANSWER**

Applicant filed its Motion for Leave to Amend Its Answer to Add a Counterclaim for Cancellation against Opposer (Baxter) on December 22, 2003. Therefore, Baxter's response to that Motion is due by January 12, 2004. Given the timing of Baxter's receipt of the motion, during the holiday season, and the issues that the motion raises, Baxter requires additional time to gather information relevant to its response. Baxter's counsel called Applicant's counsel on January 8, 2004 regarding this issue and Applicant's counsel agreed to a one-week extension of time in which to respond to the motion. This one week extension will not cause undue delay or postpone any other outstanding deadlines.

WHEREFORE, Baxter hereby requests, with Applicant's consent, an additional week to respond to the outstanding motion, resetting its deadline for filing a response to January 19, 2004.

Respectfully submitted,

Date: January 8, 2004

A handwritten signature in black ink, appearing to read "Lynn A. Sullivan", written over a horizontal line.

Lynn A. Sullivan  
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Attorneys for Opposer

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of **CONSENTED TO MOTION  
FOR ONE WEEK EXTENSION TO RESPOND TO APPLICANT'S MOTION  
FOR LEAVE TO AMEND ANSWER** was served via first class mail on 1/8/2004, to:

Duane M. Byers, Esq.  
Nixon & Vanderhye, P.C.  
1100 N. Glebe Road, 8<sup>th</sup> Floor  
Arlington, VA 22201-4714

Jessica T. Huttn

**CERTIFICATE OF MAILING**

I hereby certify that this **CONSENTED TO MOTION FOR ONE WEEK  
EXTENSION TO RESPOND TO APPLICANT'S MOTION FOR LEAVE TO AMEND  
ANSWER** (along with any documents referred to as being attached or enclosed) is being deposited (in triplicate) with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Trademarks, 2900 Crystal Drive, **BOX TTAB NO FEE**, Arlington, Virginia 22202-3514 on January 8, 2004.

Date: January 8, 2004

Jessica T. Huth